

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MARK L. FATTIG,	)	4:11CV3045
	)	
Plaintiff,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
CABELA’S INC,	)	
	)	
Defendant.	)	

This matter is before the court on Defendant’s Motion to Compel. (Filing No. [29](#).) On January 23, 2012, Plaintiff responded to Defendant’s first set of requests for admission via email. However, Plaintiff did not respond to Defendant’s interrogatories or requests for production of documents. (See Filing No. [29-3](#).) At a deposition on January 30, 2012, Plaintiff agreed to provide answers to Defendant’s interrogatories and responses to Defendant’s requests for production of documents, but he failed to do so. (Filing No. [29-5](#).)

On February 6, 2012, Defendant filed a Motion to Compel, asking the court to compel Plaintiff to respond to interrogatories and requests for production of documents that were served upon him on December 20, 2011. (Filing Nos. [25](#) and [29](#).) Plaintiff has failed to respond to Defendant’s Motion to Compel. (See Docket Sheet.) In light of this, and Plaintiff’s failure to respond to Defendant’s discovery requests, Defendant’s Motion to Compel is granted in part. Plaintiff shall have until March 23, 2012, to answer Defendant’s interrogatories and provide responses to Defendant’s requests for production of documents. If Plaintiff fails to respond, his claims against Defendant will be dismissed *with* prejudice and without notice.

IT IS THEREFORE ORDERED that:

1. Defendant's Motion to Compel (filing no. [29](#)) is granted in part. Plaintiff shall have until **March 23, 2012**, to answer Defendant's interrogatories and provide responses to Defendant's requests for production of documents. If Plaintiff fails to respond, his claims against Defendant will be dismissed *with* prejudice and without notice. Defendant's Motion to Compel is denied to the extent that Defendant seeks further relief not addressed in this Memorandum and Order.

2. The Clerk of the court is directed to set a pro se case management deadline in this case with the following text: March 23, 2012: check for response to interrogatories and requests for production of documents.

3. The discovery deadline in this matter is extended until March 30, 2012, and the dispositive motions deadline is extended until April 30, 2012.

DATED this 15<sup>th</sup> day of March, 2012.

BY THE COURT:

s/ Joseph F. Bataillon  
United States District Judge

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